

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | |
|---|---|
| In re Application of David Botstein et al. Serial No.: 09/723,703 Filed: November 28, 2000 For: METHODS OF DIAGNOSING TUMOR IN A MAMMAL (AS AMENDED) | Group Art Unit: 1642 Examiner: L. Helms EXPRESS MAIL LABEL NO.: <u>EV 016 019 305</u> <u>US</u> DATE OF DEPOSIT: <u>FEBRUARY 27, 2003</u> |
|---|---|

AMENDMENT TRANSMITTAL

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated as shown below.

| | Claims Remaining After Amendment | | Highest No. Previously Paid For | Present Extra | Rate | Additional Fees |
|---|---|---|------------------------------------|---------------|------|--------------------|
| Total | 14 | - | 20 | 0 | 18 | \$0.00 |
| Independent | 2 | - | 3 | 0 | 84 | \$0.00 |
| ___ 0 Multiple dependent claim(s), if any | | | | | 280 | \$0.00 |
| Total Fee Calculation | | | | | | \$0.00 |

 X

 X

No additional fee is required.

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$. **A duplicate copy of this transmittal is enclosed.**
Petition for Extension of Time is enclosed.

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this sheet is enclosed.**

Respectfully submitted,
GENENTECH, INC.

Date: February 27, 2003

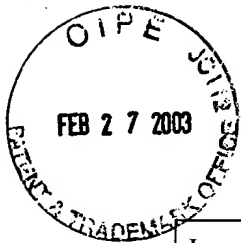
By: Steven X. Cui

Steven X. Cui - Reg. No. 44,637
for Deirdre L. Conley - Reg. No. 36,487
Telephone No. (650) 225-2066



09157

PATENT TRADEMARK OFFICE



3/13/03
Patent Docket P2533C2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | |
|--|---|
| In re Application of David Botstein et al. Serial No.: 09/723,703 Filed: November 28, 2000 For: METHODS OF DIAGNOSING TUMOR IN A MAMMAL (AS AMENDED) | Group Art Unit: 1642 Examiner: L. Helms EXPRESS MAIL LABEL NO.: <u>EV 016 019 305 US</u> DATE OF DEPOSIT: <u>FEBRUARY 27, 2003</u> |
|--|---|

RESPONSE TO NON FINAL OFFICE ACTION UNDER 37 C.F.R. § 1.111

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

This document is submitted with a three-month petition for extension of time and fees in response to the Office Action mailed August 29, 2002, (Paper No.8) for which a three month period for response was given, making this document timely filed on or before February 28, 2003. In view of the discussion provided, reconsideration and allowance are respectfully requested.

In the Title:

Please amend the title to read as follows:

METHODS OF DIAGNOSING TUMOR IN A MAMMAL

In the Specification

Please replace the paragraph beginning at page 1, line 7, with the following rewritten paragraph:

This is a continuation application claiming priority to U.S. application Serial Number 09/648,183, filed August 25, 2000, issued October 29, 2002 as U.S. Patent No.